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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

DOCKET number (Optional)
430500-11

First named inventor: Heeney, et al.

Application No.: 10/502,031

Art Unit:

Filed: July 20, 2004

Examiner:

Title: Treatment of MS with Goat Serum

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

- ☐ has been filed previously on _____.
☒ is enclosed herewith.

B. The issue fee of \$ _____.

- ☐ has been paid previously on _____.
☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box CN, Washington, D.C. 20231.

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3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

April 3, 2006

Date

Signature

Raymond J. Lillie

Typed or printed name

Telephone

Number: (973)994-1700

Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein

5 Becker Farm Road

Roseland, New Jersey 07068

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Date

Signature

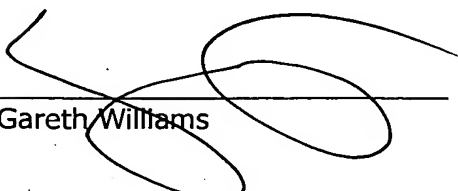
Type or printed name of person signing certificate

DECLARATION

I, Gareth Williams, of Marks & Clerk, 66-68 Hills Road, Cambridge CB2 1LA, United Kingdom, declare as follows.

1. I am a Chartered Patent Attorney and European Patent Attorney, and practise in the UK.
2. International Patent Application PCT/GB03/000342 was filed by Marks & Clerk on behalf of Aimsco Limited, naming four inventors : Angus G Dalgleish, Jonathan Heeney, and Stanley D T White.
3. On 14 July 2004, Marks & Clerk sent instructions to Raymond J Lillie, of Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, of 5 Becker Farm Road, Roseland, NJ 07068, United States of America, to enter the US National Phase of PCT/GB03/000342.
4. Mr Lillie took the necessary steps to do so, and the application was assigned application number 10/502,031 by the USPTO. Mr Lillie forwarded an assignment and declaration document for the application to me on 5 January 2005.
5. These papers were forwarded on 12 January 2005 by our formalities department to Aimsco's UK lawyer, Richard Gerstein of Goodman Derrick, 90 Fetter Lane, London EC4A 1PT, United Kingdom, with instructions to obtain signatures of the three inventors. Mr. Gerstein has subsequently changed firms to Matthew Arnold & Baldwin, 21 Station Road, Watford, Hertfordshire WD17 1HT, United Kingdom.
6. Mr Gerstein has informed me that he has sent the assignment and declaration documents to Mr Heeney's last known address, Vrijburgstraat 25, 2275 BX, Voorburg, The Netherlands. Mr Gerstein has also attempted to fax the documents to Mr Heeney's last known contact number, +31 70 386 8557, although this number now appears to be unobtainable.
7. To date, Mr Gerstein has told me he has received no response from Mr Heeney.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such wilful false statements may jeopardise the validity of the application or any patent issued thereon.


Gareth Williams

20 March 2006

DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TREATMENT OF MS WITH GOAT SERUM

the specification of which ☐ is attached hereto or ☒ was filed on 20 July 2004 as Application Serial No. 60/581,699 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 Code of Federal Regulations Section 1.56(a).

I hereby claim foreign priority benefits under Title 35 United States Code Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s):

<u>PCT/GB02/03037</u> (Number)	<u>PCT</u> (Country)	<u>2 July 2002</u> (Day/Month/Year Filed)	Priority Claimed	
			Yes	No
			<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>0201896.8</u> (Number)	<u>United Kingdom</u> (Country)	<u>28 January 2002</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35 United States Code Section(s) 119 and/or 120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code Section 112 I acknowledge the duty to disclose material information as defined in Title 37 Code of Federal Regulations Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>PCT/GB03/00342</u> (Application Serial No.)	<u>January 28, 2003</u> (Filing Date)	<u>Pending</u> (Status – pending provisional, patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status – pending provisional, patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: John N. Bain (Reg. No. 18,651); John G. Gilfillan, III (Reg. No. 22,746); Elliot M. Olstein (Reg. No. 24,025); Raymond J. Lillie (Reg. No. 31,778); William Squire (Reg. No. 25,378); Alan J. Grant (Reg. No. 33,389); Francis C. Hand (Reg. No. 22,280); Glennon G. Troublefield (Reg. No. 39,050); Raymond E. Stauffer (Reg. No. 47,109), and Michael A. Petrocelli (Reg. No. 53,461). Address correspondence and telephone calls to Raymond J. Lillie, Esq., c/o Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, 5 Becker Farm Road, Roseland, NJ 07068 - (973) 994-1700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Jonathan Heeney

Inventor's signature _____

Date _____

Residence _____

Citizenship Canada

Post Office Address Vrijburgstraat 25
2275 BX Voorburg, Netherlands

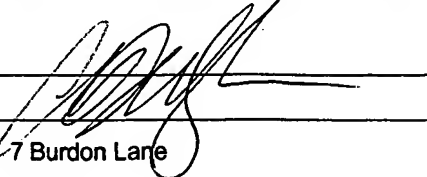
Full name of second inventor:

Angus George Dalgleish

Inventor's signature

Residence

Post Office Address



7 Burdon Lane
Cheam
Surrey Su12 7PP
United Kingdom

Date

18/1/05

Citizenship

United Kingdom

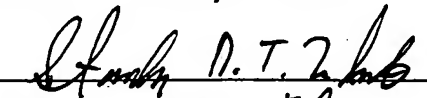
Full name of sole third inventor:

Stanley D.T. White

Inventor's signature

Residence

Post Office Address



315 Czeski Rd
315 Czeski Road Hardwick, MA
P.O. Box 226
Hardwick, Massachusetts 01037

Date

Jan 19, 2005

Citizenship

U.S.A.

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